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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/772,337	02/06/2004	Seok Hwa Jeong	IPS-0017	4505

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EXAMINER	
YENKE, BRIAN P	

ART UNIT	PAPER NUMBER
2622	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/772,337	Applicant(s) JEONG, SEOK HWA	
	Examiner BRIAN P. YENKE	Art Unit 2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Amendment (05 Oct 07).
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Applicant's arguments filed 05 October 2007 have been fully considered but they are not persuasive.

Applicant's Arguments

a) Applicant states that none of the references disclose or suggest altering characteristics of a sub-picture which is being superimposed on a main picture, nor using an OSD menu to modify characteristics of a sub-picture being superimposed on a main picture. The applicant states that none of the references disclose or suggest using an OSD menu to modify characteristics of a sub-picture being superimposed on a main picture.

Examiner's Response

a) The examiner disagrees. As stated below in the rejection the examiner evidenced the following:

Shintani disclose the use of a sub picture overlaying a main picture (i.e. conventional PIP), wherein Shintani also discloses various display options available and the use of a remote control. Though it is noted that Shintani does not explicitly recite how the various displays are changed by the remote/or automatically.

Kahn was incorporated to illustrate that a remote may activate an OSD to modify a picture being displayed. Although Kahn does not explicitly recite the conventional features of a PIP.

Cohen-Solal was evidenced to illustrate that a remote which allows a user to modify a PIP display is known.

Thus the combination of the well-known practices above, would have been an obvious modification, to any user/system desired to display more than one picture and also to display a menu which allows modification of the displayed PIP via a remote interface.

In view of the Supreme Courts decision in KSR vs Teleflex, if a person of ordinary skill in the art can implement a predictable variation and would see the benefit of doing so a 103 rejection, likely bars it's patentability. In the instant the use of a PIP display has been evidenced via Shintani, in combination with an OSD user display/input for adjusting the picture (Kahn) with Cohen-Solal which discloses PIP adjustment. The combination of references produces expected results, that being the adjustment of a PIP display using and OSD user display/input, thereby being an obvious combination of conventional techniques to one of ordinary skill in the art.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shintani, US 5,978,046 in view of Kahn, US 6,678,009 and Cohen-Solal, US 7,206,029.

In considering claims 1 and 11,

b) the claimed a main-picture...is met by main tuner 4 along with main image signal circuit 8 (Fig 1)

c) the claimed a sub-picture...is met by sub-tuner 5 along with sub-image circuit 18 along with synthesizing circuit 9.

d) the claimed a micro-controller...is met by system control circuit 19

e) the claimed a PIP processing unit is met by synthesizing circuit 9 which includes a memory for combining the sub and main picture to display a PIP (col 4, line 10-36).

Although Shintani discloses various display options along with a remote control 24, Shintani does not explicitly disclose the details of such.

Thus the examiner will evidence the key input unit, OSD, sub-picture OSD menu (limitations a, f-g) by incorporating Kahn, US 6,678,009.

Kahn disclose a system which allows the user to adjust the picture via user input (Fig 1), wherein an OSD menu (Fig 5) is displayed.

It is noted that Kahn does not explicitly recite the notoriously well known feature of PIP however, the concept of PIP and the user being able to adjust the position/size of such PIP is evidenced by Cohen-Solal (col 3, line 1-19).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Shintani which discloses a PIP display system by allowing the user to adjust the size of the display/PIP screens as evidenced by the combination of Kahn and Cohen-Solal to provide the benefit of user control in the position/size of such display.

In considering claims 2-3,

Although, the above combination does not disclose this feature, this has been evidenced by applicant's submitted prior art (WO-00/60855) which discloses a changing amount display section thus the incorporation of such would have produced known results (i.e. that is the result would be predictable) therefore being rejected.

In considering claim 4-10 and 12-15,

As stated with respect to claim 2, the combination of references with respect to claim 1, in conjunction with evidenced prior art, meets the limitations as claimed.

In considering claim 18,

Refer to the rejection of claim 1 above.

In considering claim 19,

Refer to the rejection of claim 1 above.

In considering claim 20,

Kahn discloses the user adjustment of the brightness of a displayed picture using the OSD function. As stated above, the use of such features in combination with Shintani and Cohen-Solal provides an adjustment in a multi-picture display environment.

In considering claim 21,

Refer to the rejection of claim 2 above.

In considering claim 22,

Refer to the rejection of claim 1 above.

In considering claim 23,

Refer to the rejection of claim 1 above.

In considering claim 24,

Kahn discloses the user adjustment of the brightness of a displayed picture using the OSD function. As stated above, the use of such features in combination with Shintani and Cohen-Solal provides an adjustment in a multi-picture display environment.

In considering claim 25,

Refer to the rejection of claim 1 above.

Conclusion

3. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Yenke whose telephone number is (571)272-7359. The examiner work schedule is Monday-Thursday, 0730-1830 hrs.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, David L. Ometz, can be reached at (571)272-7593.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(571)-273-8300

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703)305-HELP.

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(FAX) 703-305-7786

(TDD) 703-305-7785

An automated message system is available 7 days a week, 24 hours a day providing informational responses to frequently asked questions and the ability to order certain documents. Customer service representatives are available to answer questions, send materials or connect

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customers with other offices of the USPTO from 8:30 a.m. - 8:00p.m. EST/EDT, Monday-Friday excluding federal holidays.

For other technical patent information needs, the Patent Assistance Center can be reached through customer service representatives at the above numbers, Monday through Friday (except federal holidays) from 8:30 a.m. to 5:00 p.m. EST/EDT.

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B.P.Y
07 January 2008



BRIAN P. YENKE
PRIMARY EXAMINER